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**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

NATIONAL LABOR RELATIONS
BOARD

Petitioner,

vs.

NATIONAL LIFE, INC., d/b/a Heart
and Weight Institute,

Respondent.

No. 19-70392

NLRB No. 28-CA-181573

ANSWER TO APPLICATION

National Life, Inc., d/b/a Heart and Weight Institute ("Respondent"), by and through its counsel of record, Jennifer R. Lloyd, Esq., of the law firm of Howard & Howard Attorneys PLLC, hereby files its Answer to the Application for Enforcement of an Order of the National Labor Relations Board.

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ANSWER

Pursuant to Fed. R. App. P. 15(b)(2), Respondent answers the Application for Enforcement of an Order of the National Labor Relations Board (“Application”) filed by the National Labor Relations Board (“NLRB”), as follows:

Petitioner seeks enforcement of a March 30, 2018 Decision and Order (“Order”) of the NLRB. The Order affirmed an administrative law judge’s decision which concluded that Respondent had committed certain unfair labor practices.

Respondent admits that this Court has jurisdiction of this matter and that venue is appropriate. However, Respondent denies that Order of the NLRB should be enforced in whole or in part. The NLRB’s Decision is not supported by substantial evidence and is contrary to the law. Therefore, the NLRB is not entitled to enforcement of the March 30, 2018 Order, the NLRB’s Application for Enforcement should be denied and the Order should be vacated.

DATED this 26th day of March 2019.

**HOWARD & HOWARD ATTORNEYS
PLLC**

By: /s/ Robert L. Rosenthal

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PROOF OF SERVICE

I hereby certify that on March 26, 2019, I electronically filed the foregoing document **ANSWER TO APPLICATION** with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system. I further certify that the foregoing document was served on all those parties or their counsel of record through the CM/ECF system if they are registered users, or, if they are not, by serving a true and correct copy at the address listed below:

David Habenstreit
Assistant General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570-0001

Executed on March 26, 2019 at Las Vegas, Nevada.

/s/ Barbara J. Dunn
Barbara J. Dunn